

Appl. No. 09/890,775
Amdt. dated August 4, 2004
Reply to Office Action of June 29, 2004

REMARKS/ARGUMENT

This amendment responds to the Office Action of June 29, 2004.

Claims 74-78 and 80-96 are pending in the application with claims 1-73 and 79 having been canceled and claims 74 and 80 having been amended. Entry of these amendments is respectfully requested as it is believed they put the application in condition for allowance or in better condition for appeal.

Claims 74-78 and 80-96 have been objected to.

According to the Examiner:

"Since claim 74 has been amended and new substituents at R⁷ are inserted which were not searched before, therefore, it will require a new search. Applicant is requested to limit the claims as were originally presented and add method claims of the same scope which were considered allowable as was indicated in our previous Office Action.

The claims 74-78 and 80-96 are allowable with the same scope as was originally claimed. Therefore, these claims are now objected for containing new subject matter. Applicant should cancel the substituents that were not examined before."

Applicants disagree that the addition of the moieties hydroxy, halogen, cyano, acyl, alkoxy, haloalkoxy and alkylthio to the definition of R⁷ in claim 74 and their inclusion in claim 80 constituted new matter since, as was pointed out in the response to the previous Office Action,

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this material is supported in the specification at page 4, line 30 to page 5, line 3, as well as from claim 20 of the application as originally filed. However, in the interest of advancing the application to allowance, these features have now been deleted to overcome the Examiner's objections.

In view of the foregoing, it is submitted that this application is now in condition for allowance and an early Office Action to that end is earnestly solicited.

Respectfully submitted,



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